



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of
Inventor(s): Strom et al.

Appln. No.: 10/801,944

Filing Date: March 15, 2004
Title: SYSTEM AND METHOD
OF MEASURING PROBE
FLOAT

) Group Art Unit: Unknown

) Examiner: Unknown

) Certificate of Mailing

) I hereby certify that this correspondence and all
) marked attachments are being deposited with the
) United States Postal Service as first class mail in an
) envelope addressed to: Commissioner for Patents,
) P.O. Box 1450, Alexandria, VA 22313-1450 on July 16,
) 2004.

) By: Kim A. Cabello
) Kim A. Cabello

TRANSMITTAL LETTER

Mail Stop Missing Parts
Commissioner of Patents
P.O. Box 1450,
Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing are the following:

1. Filing Completion Under Rule 53(f) (in duplicate);
2. Filing of Formal Drawings (in duplicate);
3. Three (3) sheets of formal drawings (Figures 1-5);
4. Copy of Notice to File Missing Parts of Nonprovisional Application;
5. Copy of previously submitted Filing Completion Under Rule 53(f), evidencing payment of filing fees; and

Strom et al. -
Application No. 10/801,944

6. Return Postcard.

Applicants hereby submit Filing Completion Under Rule 53(f) attaching three (3) sheets of replacement drawing figures as requested in the Notice to File Missing Parts of Nonprovisional Application dated June 3, 2004. These drawing sheets were inadvertently omitted from applicants' previous response to Notice to File Missing Parts filed on July 8, 2004.

Applicants previously paid the required filing and surcharge fees and believe that no other fees are due at this time. However, the Commissioner is hereby authorized to charge any fee that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account 50-2212. A duplicate of this Transmittal is enclosed.

July 16, 2004

Respectfully submitted,



Victor J. Castellucci
Registration No. 43,535
Attorney for the Applicant
Telephone: 858-509-4007

PILLSBURY WINTHROP LLP
11682 El Camino Real, Suite 200
San Diego, CA 92130



CERTIFICATE OF MAILING

certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents; Mail Stop Missing Parts, P.O. Box 1450, Alexandria, VA 22313-1450 on July 16, 2004.

By: _____

Kim A. Cabello

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

FILING COMPLETION UNDER RULE 53(f)

(NOT PCT Applications)

For Design, Provisional, or Utility Applications

PATENT
APPLICATION**COMPLETION Under**
Rule 53(f)In re PATENT APPLICATION of

Attn: Application Division

Inventor(s): John T. STROM and Raymond H. KRAFT

Appln. No.: 10 | 801,944
Series Code ↑ | Serial No. ↑Atty.Dkt. 044182 | 308760
C-M | Client Ref

Filed: March 15, 2004

Title: SYSTEM AND METHOD OF MEASURING PROBE FLOAT

Mail Stop Missing Parts
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Date: July 16, 2004

Sir:

The following completes the filing under Rule 53(f) of the above-identified patent application:

1. **Notice to File Missing Parts** ☒ copy attached ☐ not yet received
2. ☐ Signed Declaration attached. ☐ Original ☐ Facsimile/Copy

(Always "X" box 2 if filing signed Declaration and

"X" box 2A only if top box of the Declaration is X'd and file application copy, or"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

- 2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.
- 2B. ☐ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.
3. ☐ Specification originally filed in non-English language; hence verified translation attached of:
- a. ☐ Abstract
- b. # pages of Specification(only spec. & claims)
- c. ☐ Drawing(s)
No of Sheets
- ☐ Fig(s).
4. ☒ Letter filing formal drawing attached.
5. ☐ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.
6. DOMESTIC/INTERNATIONAL priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) 60/454,572	March 14, 2003	(2)	
(3)		(4)	
(5)		(6)	

7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in _____

8.

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	
(3)		(4)	
(5)		(6)	

9. _____ (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) _____
in U.S. Application No. _____ / _____ filed on _____

10. Small Entity Status ☐ is Not claimed ☒ is claimed (file PAT-256 if this is the first claim of Small Entity Status)

11. ☒ Attached: Three (3) sheets of drawing figures (Figures 1-5); **Copy of Filing Completion Under Rule 53(f) submitted on July 8, 2004 (with fee). This earlier response was inadvertently filed without the requested replacement drawing sheets; and Return Postcard**

12. ☐ Please see the attached Preliminary Amendment which reduces the number of claims for purposes of reducing the initial filing fee.

THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY CHANGED BY PRELIMINARY AMENDMENT PER ITEM 12 ABOVE

				Large/Small Entity		Fee Code	
13. Basic Filing FeeDesign Application				\$340/\$170		1002/2002	
Not Design Application				\$770/\$385	+0	1001/2001	
14. Total Effective Claims	20	minus 20 =	0	x \$18/\$9	+0	1202/2202	
15. Independent Claims	3	minus 3 =	0	x \$86/\$43	+0	1201/2201	
16. If <u>any proper</u> multiple dependent claim (ignore improper) is present, (Leave this line <u>blank</u> if this is a <u>reissue</u> application)				\$290/\$145	+0	1203/2203	
17. Surcharge for filing Declaration/filing fee late				\$130/\$65	+0	1051/2051	
18.				FILING FEE = \$0			
19. <u>Original due date:</u> August 3, 2004							
20. Petition is hereby made to extend the <u>original</u> due date to cover the date this response is filed for which the requisite fee is attached				(1 mo)	\$110/\$55 =	+0	1251/2251
				(2mos)	\$420/\$210 =		1252/2252
				(3mos)	\$950/\$475 =		1253/2253
				(4mos)	\$1,480/\$740 =		1254/2254
				(5mos)	\$2,010/\$1,005 =		1255/2255
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee				\$130	+0	1053	
22. If "assignment" box 5 is X'd, add recording fee.				\$40	+40	8021	
23. Petition Fee for				\$130	+0	1808	
24.				TOTAL FEE = \$0			

Our Deposit Account No. 50-2212

Our Order No. 044182

C#

308760

M#

**PLEASE CHARGE
OUR DEP. ACCT.**

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient

fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Winthrop LLP
Intellectual Property Group**

11682 El Camino Real
Suite 200
San Diego, CA 92130-2092
Tel: (619) 234-5000
Atty/Sec: VJC/kac

By Atty: Victor J. Castellucci

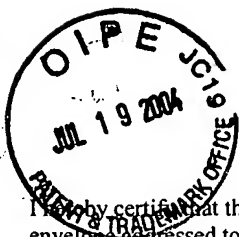
Reg. No. 43,535

Sig: 

Fax: **(858) 509-4010**

Tel: **(858) 509-4007**

NOTE: File in duplicate with PTO receipt (PAT-103A) and attachments



Certificate of Mailing Under 37 C.F.R. §1.8

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 15, 2004.

By: _____

Kim A. Cabello

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor(s): Strom et al.

Appln. No.: 10

Series Code ↑

801,944

Serial No. ↑

Filed: March 15, 2004

Group Art Unit/TC:

Examiner:

Unknown

Atty. Dkt. P

044182

308760

M#

Client Ref

Attention:

Title: SYSTEM AND METHOD OF MEASURING PROBE
FLOAT

Date: July 15, 2004

FILING OF FORMAL DRAWING(S)

Hon. Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

1. Please accept the herewith 3 sheet(s)2. of formal drawing(s) on ☒ A4 ☐ 11" size
paper3. of Figure(s) 1 - 54. of which Figure(s) is/are **black and white**
photographic drawings (DO NOT use this form for
photographic drawings in **color** (see PAT-280).5. ☒ which is/are in lieu of the informal drawing(s) filed
earlier.6. ☒ which include the corrections required/approved by the Draftsperson/Examiner in the
☒ Notice to File Missing Parts of or ☐ Notice of Allowability (PTO-37) dated .
Nonprovisional Application dated
June 3, 2004NOTE

- A. PTO waived requirement for 3 sets of B/W photos
June 9, 1998, 1211 OG 34;
B. PTO waived requirement for petition and petition fee
for B/W photos August 4, 1998, 1213 OG 108.
C. Petition and fee are still required for photographs
which are in color. See Rule 84(a)(2).

A,B,C were confirmed in 9/8/00 Rule 84 changesEXTENSIONS NOT AVAILABLE Re NOTICES OF
ALLOWABILITY ISSUED ON/AFTER 11/7/00

		Large/Small Entity	Fee Code
7. Original due date: August 3, 2004	<input type="checkbox"/> NONE		
8. Petition is hereby made to extend the original due date to cover	(1 mo)	\$110/\$55 =	115/215
The date this response is filed for which the requisite fee is charged	(2 mos)	\$410/\$205 =	116/216
	(3 mos)	\$930/\$465 =	117/217

9. TOTAL FEE

\$0

(Our Deposit Account No. 50-2212)

(Our Order No. _____)

044182

308760

PLEASE CHARGE
OUR DEP. ACCT.

CHARGE STATEMENT: The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting/Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached. This CHARGE STATEMENT does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

**Pillsbury Winthrop LLP
Intellectual Property Group**

11682 El Camino Real
Suite 200
San Diego, CA 92130-2092
Tel: (619) 234-5000
Atty/Sec: VJC/kac

By Atty: Victor J. Castellucci

Reg. No. 43,535

Sig: _____

Victor J. Castellucci

Fax: (858) 509-4010

Tel: **(858) 509-4007**

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments





PAT-103 5/02 PTO RECEIPT FOR INDICATED ITEMS

Appln. No: 10/801,944

Inventor(s) John T. STROM and Raymond H. KRAFT

Title: SYSTEM AND METHOD OF MEASURING

PROBE FLOAT

Atty VJC

Date 07-08-04

C# 044182

M# 308760

ENCLOSED:

☐ Amendment

☐ Appendix

☐ Cover sheet

No. of Pages Abstract

No. of Pages Spec and Claims

No. of numbered Claims only

☒ Declaration (3 #pgs)

☒ Assignment ☒ Cover Sheet

No. of Priority Documents

No. Sheets Drawings (Fig(s) 1 to) ☐ 1 set Formal

\$ 490.00 To be charged to Dep. Acct. No. 50-2212

Other: Filing Completion Under Rule 53(f) (in duplicate); Copy of Notice to File
Missing Parts of Nonprovisional Application; and Return Postcard

CURRENT DUE DATE: August 3, 2004



IFW

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/801,944	03/15/2004	John T. Strom	044182 308760

CONFIRMATION NO. 2939

Pillsbury Winthrop LLP
Intellectual Property Group
Suite 200
11682 El Camino Real.
San Diego, CA 92130-2092

RECEIVED

JUN 08 2004

PILLSBURY WINTHROP LLP

FORMALITIES LETTER



OC000000012849994

Date Mailed: 06/03/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1-4.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$450 for a Small Entity

RECEIVED

PILLSBURY WINTHROP LLP/CV

CL # 044182 MT # 0308760

ATTY(S) IFW/VJC

DUE: 8/3/04; Final 1/3/05

DKT BY (1) SGL 121

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

A copy of this notice MUST be returned with the reply.

Melhemet Hiber

Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY